

26600. Adulteration of canned salmon. U. S. v. 1,617 Cartons of Canned Salmon. Consent decree of condemnation. Product released under bond. (F. & D. no. 38236. Sample nos. 2718-C, 11017-C.)

This case involved canned salmon that was in part decomposed.

On September 1, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,617 cartons of canned salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about July 25, July 26, and July 27, 1936, from Anchorage, Alaska, by the Bank of Alaska for Henry J. Emard, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On September 9, 1936, H. J. Emard, Anchorage, Alaska, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that it not be disposed of in violation of the Food and Drugs Act.

M. L. WILSON, *Acting Secretary of Agriculture.*

26601. Adulteration of blueberries. U. S. v. 3 Crates of Blueberries. Default decree of condemnation and destruction. (F. & D. no. 38239. Sample no. 7111-C.)

This case involved blueberries that were infested with maggots.

On September 2, 1936, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of three crates of blueberries at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about August 27, 1936, by Maynard Albee, from Wiscasset, Maine, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On September 22, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

26602. Adulteration and misbranding of butter. U. S. v. 1 Box and 1 Box of Butter. Consent decrees of condemnation. Product ordered destroyed or delivered to charitable institution. (F. & D. nos. 38242, 38243. Sample nos. 2734-C, 2735-C.)

These cases involved butter a part of which was deficient in milk fat and a part of which was short in weight.

On August 13, 1936, the United States attorney for the District of Oregon, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of two boxes of butter at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about August 7, 1936, by the Holland Creamery Co., from Vancouver, Wash., and charging adulteration and misbranding of a portion and misbranding of the remainder in violation of the Food and Drugs Act as amended. A portion of the article was labeled: "Weight One Pound (B) Forget-Me-Not Creamery Butter." The remainder was labeled: "Butter (A Grade) Distributor No. 71, Factory No. 23. We Guarantee Oregon Groceteria Special."

A portion of the article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent by weight of milk fat, as provided by the act of March 4, 1923.

Misbranding was alleged with respect to the said portion in that it was labeled "Butter", which was false and misleading since it contained less than 80 percent by weight of milk fat.

The remaining lot was alleged to be misbranded in that it was labeled "Weight One Pound", which was false and misleading as the package contained less than that quantity; and in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 21, 1936, the Holland Creamery Co., having consented to the entry of decrees, judgments of condemnation were entered and it was ordered that the product be destroyed or delivered to a charitable institution.

M. L. WILSON, *Acting Secretary of Agriculture.*